

### Remarks/Arguments

Claims 1-31 are pending in the application. Claims 2-7, 18-28, and 31 are withdrawn. Claims 1 and 8-11 are rejected. Claims 12-14 are objected to. Claims 15, 16 and 17 were not addressed in the Office action.

Claims 1 and 8-11 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Usui et al. (U.S. Pat. 6,297,484). Applicant respectfully traverses this rejection. The Office action does not provide specific reference within the cited reference that discloses elements of Applicant's claims, and therefore, Applicant is unable to address specific elements of the assertion. Applicant requests clarification in order to respond to the rejection. Applicant would encourage a telephone interview to advance prosecution of this matter.

In an attempt to advance prosecution of this matter, Applicant submits the following arguments in support of allowability of the instant claims.

Applicant's claim 1 provides, in part, "a first magnet assembly comprising a first frame and at least one magnet movably coupled to the first frame, ... the at least one magnet adapted to move relative to the first frame in dependence on the change in the rate of rotation of the first frame". One aspect of these claim elements is that the magnet moves or is positioned with respect to the rotor (the first frame) upon which the magnet is coupled in response to the speed of rotation of the rotor. In other words, as the rotor rotates faster, the magnet moves relative to the rotor in a prescribed way, generally outwardly from the axis of rotation, due to centrifugal force in accordance with an embodiment. As the rotor slows down, the magnet moves back toward the axis of rotation in accordance with the same embodiment.

Applicant does not find disclosed in the '484 patent where the magnets move relative to their mount, the movement being dependent on the speed of rotation of the mount. For example, as shown in Fig. 7 of '484, the magnets 83 are fixed to the driving shaft 81, col. 11, lines 15-18. Similarly, the magnets 115 are fixed on the rotor 114 shown in Fig. 11 and col. 12, lines 25-35. There are no provisions for the magnets to move relative to the driving shaft or rotor, respectively, in response to the rate of rotation

of the driving shaft or rotor. Further there is no teaching in the cited reference as to the benefits of providing such movement.

For the reasons provided above, among others, Applicant submits that the rejection is overcome and requests reconsideration and allowance of claim 1.

Claims 8-11 depend from claim 1, and therefore incorporate the same limitations as claim 1. Applicant repeats the same argument in favor of allowability for claims 8-11 as for claim 1.

Further, claim 9 provides "wherein the conductive member comprises a substantially disc-shaped center portion and a plurality of arms extending from the center portion" as exemplified in the embodiment of Fig. 17A, where the arms extending from the center portion modifies the surface area of the conductive member in a predetermined manner. Applicant is unable to find a teaching of this structure in the '484 cited reference.

Further, claim 10 provides "wherein the conductive member comprises a plurality of conductive portions separated by non-conductive portions". Applicant is unable to find a teaching of this structure in the '484 cited reference.

Further, claim 11 provides "wherein the conductive member comprises a plurality of nested rings separated by non-conductive portions" as exemplified in Applicant's embodiment of Fig. 18A. Applicant is unable to find a teaching of this structure in the '484 cited reference.

For the reasons provided above, among others, Applicant submits that the rejections are overcome and requests reconsideration and allowance of claims 1 and 8-11.

The withdrawn claims 2-7 are claims to elements that provide the relative motion of the magnet to the frame in relationship with the rate of rotation of the frame. If claim 1 is found to be generic to cover claims 2-7, Applicant desires to have them reconsidered at the appropriate time.

Applicant appreciates that claims 29 and 30 are allowable and that claims 12-14 are objected to but would be found allowable if rewritten in independent form.

Documents Cited but Not Relied upon for this Office Action

Applicant need not respond to the assertion of pertinence stated for the references cited but not relied upon by the Office Action since these references are not made part of the rejections in this Office Action. Applicant is expressly not admitting to this assertion and reserves the right to address the assertion should it form part of future rejections.

Conclusion

Applicant respectfully requests reconsideration and allowance of the pending claims.

The Examiner is invited to contact Applicant's Representative at the below-listed telephone number if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

Respectfully submitted,

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